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3/13/19

JASON DENT,
Plaintiff,

Case No. 1:19cv492

v.

MICHAEL HOROWITZ, WILLIAM BARR,
ROD ROSENSTEIN, F. LARA, JAY RAY ORMOND,
BRADLEY, DURKIN, FLUCK, BRAD,
Defendants.

FILED
SCRANTON

MAR 18 2019

PRELIMINARY INJUNCTION AND
TEMPORARY RESTRAINING ORDER

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DEPUTY CLERK

Plaintiff Jason Dent files this preliminary injunction and temporary restraining order for a order from the Honorable Court for defendants Inspector General Michael Horowitz, U.S. Attorney General William Barr, Deputy U.S. Attorney General Rod Rosenstein, BOP Assistant Director F. Lara, Northeast Regional Director Jay Ray Ormond, U.S.P. Canaan Warden Bradley, U.S.P. Canaan Counselor Durkin, U.S.P. Canaan Education Specialist Fluck, U.S.P. Canaan SIS Investigator Brad to cease the intentional blocking and hindering of the administrative remedy process, cease the retaliation.

1. On 8/29/18 I mailed complaints to FBI Director Christopher Wray under certify mail #7004 1160 0003 0257 8019, copies of those complaints was mailed to 60 Minutes under certify mail #7004 1160 0003 0257 8002. The complaints pertained to the beatings of inmates by BOP officers at various U.S.P.'s, no investigation was conducted.
2. On 9/11/18 I mailed complaints to the Department of Justice Office of Public Integrity under certify mail #7004 1160 0003 0257 7975, copies of those complaints was mailed to CNN under certify mail #7004 1160 0003 0257 7883. The complaints pertained to the beatings of inmates by BOP officers at various U.S.P.'s, no investigation was conducted.
3. On 11/29/18 I was seriously assaulted by BOP officers.
4. On 1/5/19 Warden Bradley responded to BP-9 #963188-F1, Counselor Durkin did not give me the BP-9 response until the 17th of January 2019.

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5. On 2/22/19 Northeast Regional Director Jay Ray Ormond responded to the BP-10
6. On 3/12/19 Counselor Durkin signed the administrative remedy document stating that I received BP-10 963188-R1 on March 12, 2019.
7. On 3/12/19 Education Specialist Fluck removed the toner (ink) from the copy machine stating that the toner will not be replaced until next month.
8. On 3/13/19 SIS Investigator Brad and Warden Bradley had education closed.
9. The tactics by defendants is to get me time barred.

ARGUMENT

The Sixth Circuit and its sister circuits have recognized that a prison or prison official can engage in conduct that effectively render administrative remedies unavailable to a prisoner. See, e.g. Napier, 636 F.3d at 224 (acknowledging that prison may render administrative remedies unavailable); Little v. Jones, 607 F.3d 1245, 1250 (10th Cir. 2010) ("Where prison officials prevent, thwart, or hinder a prisoner's efforts to avail himself of an administrative remedy, they render that remedy unavailable"); Lyon v. Vande kro, 305 F.3d 806, 808 (8th Cir. 2002) ("Inmates cannot be held to the exhaustion requirement of the PLRA when prison officials have prevented them from exhausting their administrative remedies").

CONCLUSION

A preliminary injunction and temporary restraining order is required.

Dated: March 13, 2019

Respectfully Submitted.

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UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
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MARCH 13, 2019